



IAP12 Rec'd PCT/PTO 09 APR 2007

Patent

Attorney Docket No. 1012679-000120

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

) **MAIL STOP MISSING PARTS**

Shinje Kim et al.

) Confirmation No.: 2079

Application No.: 10/577,433

)

Filing Date: April 27, 2006

)

Title: MOLECULAR MARKER ASSOCIATED  
WITH CMV RESISTANCE AND USE  
THEREOF

)

**TRANSMITTAL LETTER FOR NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. § 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In complete response to the Notification of Missing Requirements Under 35 U.S.C. § 371 In The United States Designated/Elected Office (DO/EO/US) dated February 9, 2007, enclosed please find a Response to the Notification, which includes copies of the following documents:

- copy of Notice;
- copy of executed Combined Declaration and Power of Attorney originally filed on April 27, 2006; and
- copy of date-stamped postcard indicating that the executed Combined Declaration and Power of Attorney was filed and received by the United States Patent and Trademark Office on April 27, 2006.
- The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date April 9, 2006

By:   
Susan M. Dadio  
Registration No. 40373

P.O. Box 1404  
Alexandria, VA 22313-1404  
703 836 6620

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
Shinje KIM et al. ) Group Art Unit: Unassigned  
Application No.: 10/577,433 ) Examiner: Unassigned  
Filed: April 27, 2006 ) Confirmation No.: 6802  
For: MOLECULAR MARKER )  
ASSOCIATED WITH CMV )  
RESISTANCE AND USE THEREOF )

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. § 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Notification of Missing Requirements dated February 9, 2007 (copy enclosed) requires submission of an oath or declaration of the inventors to complete the requirements for acceptance under 35 U.S.C. § 371. This Notification is in error since a declaration executed by the inventors was filed as part of the original application filing on April 27, 2006. A copy of that declaration is attached hereto as well as a copy of the date-stamped postcard indicating that the above-identified executed Declaration was filed and received by the United States Patent and Trademark Office on April 27, 2007.

Accordingly, a Notice of Acceptance is respectfully requested. If there are any questions concerning this Response or the application in general, it is respectfully requested that the attorney of record be contacted.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: April 9, 2007

By:   
Susan M. Dadio  
Registration No. 40,373

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

**PCT Postcard**

Applicant/

Inventor: Shinje Kim et al.

Docket No.: 1012679-000120

Working Atty.: SMD/jamyn

Appn. No.: Unassigned

Date: April 27, 2006

Title: MOLECULAR MARKER ASSOCIATED WITH CMV RESISTANCE AND USE THEREOF

Dkt. Clerk Initials

1012679

The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:

Transmittal Letter to the U.S. Receiving Office/  
Response to Invitation (PTO-1382)  
 Transmittal Letter to U.S. Designated/Elected  
Office (DO/EO/US) Concerning Filing Under  
35 USC 371 (PTO-1390)  
 PCT Request (PCT/RO/101) ( ) pgs.

INCLUDING:

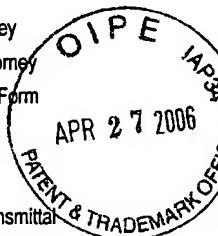
Specification (pages 1 - 20 )  
 Claims (claims(s) 1 - 13 , 3 pgs.)  
 Drawings (Fig(s). 1 - 7 , 8 pgs.)  
 Abstract of the Disclosure  
 PCT Fee Calculation Sheet Annex to the Request  
(PCT/RO/101 (Annex))  
 PCT Demand (PCT/IPEA/401) International  
Preliminary Examination Report  
 PCT Fee Calculation Sheet Annex to Demand for  
Int'l. Preliminary Exam. (PCT/IPEA/401 (Annex))

PCT Notice of Confirmation of Precautionary  
Designations (PCT/RO/144)  
 Executed Declaration/Power of Attorney  
 Unexecuted Declaration/Power of Attorney  
 Assignment/Assignment Recordation Form  
Cover Sheet (PTO-1595)  
 Appointment of Agent  
 Preliminary Amendment  
 Information Disclosure Statement Transmittal  
 Information Disclosure Citation (PTO-1449)  
 Information Disclosure Statement w/ 4 document(s)  
 Patent Application Data Sheet  
 Gen. Authorization for Petition for Ext. of Time  
and Payment of Fees  
 Diskette

Check for \$ \_\_\_\_\_ is enclosed  
 Check for \$ \_\_\_\_\_ is enclosed  
 Charge \$ \_\_\_\_\_ to Deposit Account  
 Charge \$ 490.00 to credit card. Form  
PTO-2038 is attached.  
 Paper Copy of Sequence Listing and  
Declaration Pursuant to 37 CFR 1.821-1.825  
 Copies of Forms: PCT/RO/101,  
PCT/RO/105, PCT/ISA/202, PCT/IB/304  
 Copies of Forms: PCT/IB/301, PCT/ISA/237,  
PCT/ISA/210 and PCT/IB/308 (1st & 2nd).  
 Copy of International Application (WO  
2005/040426 A1.

If submitting documents via Express Mail, provide the Express Mailing Label No. below.

**Express Mail Mailing Label No.**





**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/577,433	Shinje Kim	1012679-000120
INTERNATIONAL APPLICATION NO.		
PCT/KR04/02732		
I.A. FILING DATE	PRIORITY DATE	
10/27/2004	10/27/2003	

21839  
 BUCHANAN, INGERSOLL & ROONEY PC  
 POST OFFICE BOX 1404  
 ALEXANDRIA, VA 22313-1404

**CONFIRMATION NO. 2079**  
**371 FORMALITIES LETTER**



\*OC000000022375023\*

Date Mailed: 02/09/2007

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/27/2006
- Copy of the International Search Report filed on 04/27/2006
- Copy of IPE Report filed on 04/27/2006
- Preliminary Amendments filed on 04/27/2006
- Information Disclosure Statements filed on 04/27/2006
- Biochemical Sequence Diskette filed on 04/27/2006
- Biochemical Sequence Listing filed on 04/27/2006
- Request for Immediate Examination filed on 04/27/2006
- U.S. Basic National Fees filed on 04/27/2006
- Assignment filed on 04/27/2006
- Priority Documents filed on 04/27/2006
- Specification filed on 04/27/2006
- Claims filed on 04/27/2006
- Abstracts filed on 04/27/2006
- Drawings filed on 04/27/2006
- Paper nucleotide sequence listings filed on 04/27/2006
- Paper Computer Listings filed on 05/09/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

BARBARA A CAMPBELL

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Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/577,433	PCT/KR04/02732	1012679-000120